

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

CENTER FOR BIOLOGICAL  
DIVERSITY, ALLIANCE FOR THE  
WILD ROCKIES, YAAK VALLEY  
FOREST COUNCIL, WILDEARTH  
GUARDIANS, and NATIVE  
ECOSYSTEMS COUNCIL,

Plaintiffs,

vs.

U.S. FOREST SERVICE; LEANNE  
MARTEN, Regional Forester of U.S.  
Forest Service Region 1; CHAD  
BENSON, Supervisor of the Kootenai  
National Forest; and U.S. FISH AND  
WILDLIFE SERVICE,

Defendants.

CV 22–91–M–DLC

ORDER

Before the Court is Plaintiffs’ Unopposed Motion for Leave to File out of Time Brief. (Doc. 98.) Plaintiffs’ Response to Defendants’ Motion for Supplemental Briefing (Doc. 94) was due Friday, January 19, 2024. (*Id.* at 2.) Plaintiffs state that “due to an unexpected personal/family situation, Plaintiffs’ counsel was unable to file the brief on Friday as intended,” but “ultimately filed the response brief at 2:52 a.m. on Saturday.” (*Id.*) Plaintiffs request that the Court

accept the tardy filing. (*Id.*) Defendants do not oppose, but request an extension until February 8, 2024, to file their reply brief. (*Id.*) The Court finds good cause to accept the tardy filing and grant Defendants an extension.

Accordingly, IT IS ORDERED that the motion (Doc. 98) is GRANTED. The Court will accept Plaintiffs' tardy Response and Defendants may file their Reply to Plaintiffs' Response on or before February 8, 2024.

DATED this 23rd day of January, 2024.



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Dana L. Christensen, District Judge  
United States District Court